

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In RE:

JOHANSEN, SHARON HABERMAN,

Debtor(s).

Chapter 7

Case No.: 03-61260

Adv. Proc. No.

David G. Velde, Trustee,
Plaintiff,

v.

Sharon Haberman-Johansen,
Defendant.

COMPLAINT TO DETERMINE DISCHARGEABILITY OF DEBTS

Plaintiff, David G. Velde, by the undersigned attorney, states and alleges as follows:

1. David G. Velde is the duly qualified and acting Trustee in this case.
2. This is an action seeking a denial of discharge of the Debtors pursuant to 11 U.S.C. § 727.
3. This Court has jurisdiction over this proceeding pursuant to 11 U.S.C. § 727, 28 U.S.C. § 157 and 28 U.S.C. § 1334.
4. This case was commenced by the filing of a voluntary petition under Chapter 7 on October 1, 2003. The Meeting of Creditors was held on November 13, 2003. A Stipulation was filed with the Court extending the time to objection to discharge until April 9, 2004.
5. The Plaintiff alleges that the Defendant knowingly and fraudulently, in connection with this case, made false oaths or accounts including, but not limited to, the following:
 - a. The Defendant submitted a Statement of Financial Affairs to First International Bank & Trust within seven months of filing for bankruptcy. This Statement compared to the Defendant's bankruptcy petition demonstrates many omitted assets, undervalued assets, and undisclosed assets. Specifically, the Defendant did not mention the ownership or the sale of the following assets: an IRA worth \$22,000, Cash Value Life Insurance Policy worth \$25,000, Pickup worth \$35,000, a Chevy Tahoe worth \$34,000, a non legible entry for a vehicle worth \$15,000 or \$5,000, personal property valued at \$80,000 and valued on the bankruptcy at \$1,250, eleven head of elk valued at \$20,000 and listed on the bankruptcy at \$6,000, and guns/jewels/and card collections valued at \$50,000. See attached Exhibits A (Schedule B and the

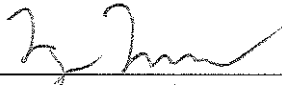
Statement of Financial Affairs) and B (Statement of Financial Affairs prepared for First International Bank & Trust)

- b. The Defendant did not disclose in the Statement of Financial Affairs that she is under investigation by the Inspector General's Office for fraud regarding her involvement with Advanced Orthotics & Prosthetics, Inc. in which she was an Officer and 50% Shareholder.
- c. The Defendant did not disclose her receipt of approximately \$40,000 from Blue Cross of South Dakota and Medicare in July or August 2003 or the disbursement of those funds.
- d. The Defendant did not disclose on her bankruptcy petition that she was in the process of creating a Limited Liability Company in South Dakota whose Certificate of Organization was issued one week after the bankruptcy petition was filed with the Court. See Exhibit C.
- e. The Defendant did not disclose on her bankruptcy petition that she possessed a half interest with Advanced Orthotics & Prosthetics, Inc. in a 2001 Chevrolet S10 Truck.
- f. The Defendant did not disclose an interest in a 2002 Floe International Utility Trailer on her bankruptcy petition.

WHEREFORE, the Trustee seeks an Order of this Court granting the following relief:

- 1. Denying the discharge of the debtor, Sharon Haberman-Johansen, pursuant to 11 U.S.C. § 727(a)(4)(A).
- 2. That the Court grant such other and further relief as may be just and equitable.

Dated: 4/7/04



Logan Moore, Attorney for Trustee
1118 Broadway
Alexandria, MN 56308
(320) 763-6561
Reg. #312083

Verification. I, David G. Velde, the moving party named in the foregoing Complaint, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Executed on 4/7/04.

Signed: _____

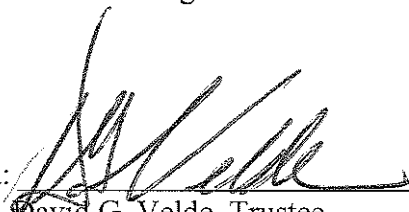

David G. Velde, Trustee
1118 Broadway
Alexandria, MN 56308
(320) 763-6561

Exhibit A

FORM B6B
(10/89)

In re **Sharon Haberman Johansen**

Debtor

Case No.

(If known)

SCHEDULE B - PERSONAL PROPERTY

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand	X			
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		CD #92501; secures loan to First National Bank of Hawley, MN, loan balance - \$9,146.38	W	9,231.06
		Checking account at First National Bank Hawley; name on account is Circle H J Ranch	J	4.21
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		Usual assortment of household goods and furnishings; major items consist of recliner, couch, two beds, two dressers, stove, refrigerator, microwave, table and chairs, washer and dryer, 2 grills, outdoor furniture, and misc. hand and lawn tools (\$2,500.00); owned jointly with spouse; market value is Debtor's one-half interest	J	1,250.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6. Wearing apparel.		Clothes, shoes, jackets, accessories and watch	W	500.00
7. Furs and jewelry.		Wedding ring	W	5,000.00
8. Firearms and sports, photographic, and other hobby equipment.		3 guns owned jointly with spouse: Double barrel 20 ga. (\$150.00), 22 rifle (\$75.00), and 243 Deer rifle (\$175.00); market value is Debtor's one-half interest	J	200.00
		6 wheeler owned jointly with spouse (\$2,500.00); market value is Debtor's one-half interest	J	1,250.00
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		Term insurance - no cash value	W	1.00
10. Annuities. Itemize and name each issuer.	X			

In re **Sharon Haberman Johansen**
Debtor

Case No. _____

(If known)

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.		401k	W	8,109.97
12. Stock and interests in incorporated and unincorporated businesses. Itemize.		Own stock in Advanced Orthotics & Prosthetics, Inc.; liabilities exceeds assets; no owner equity	W	1.00
13. Interests in partnerships or joint ventures. Itemize.	X			
14. Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
15. Accounts receivable.	X			
16. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
17. Other liquidated debts owing debtor including tax refunds. Give particulars.		Joint federal tax refund of \$2,288.00; have prior income tax liability of approximately \$4,100.00; this refund will most likely be offset by the IRS	J	2,288.00
18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	X			
19. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
21. Patents, copyrights, and other intellectual property. Give particulars.	X			
22. Licenses, franchises, and other general intangibles. Give particulars.	X			
23. Automobiles, trucks, trailers, and other vehicles and accessories.		1979 Suburban	W	3,000.00

In re **Sharon Haberman Johansen**
Debtor

Case No. _____

(If known)

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
23. Automobiles, trucks, trailers, and other vehicles and accessories.		2 snowmobiles and trailer owned jointly with spouse (\$7,000.00); market value is Debtor's one-half interest	J	3,500.00
24. Boats, motors, and accessories.		17' Lund boat, 115 hp Mercury motor and trailer (\$8,500.00); owned jointly with spouse; mortgaged to Community First Bank in Bismarck, North Dakota, loan balance - \$4,484.32; market value is Debtor's one-half interest	J	4,250.00
25. Aircraft and accessories.	X			
26. Office equipment, furnishings, and supplies.	X			
27. Machinery, fixtures, equipment and supplies used in business.	X			
28. Inventory.	X			
29. Animals.		10 head of elk, 2 horses, and goats (\$6,000.00); owned jointly with spouse; market value is Debtor's one-half interest	J	3,000.00
30. Crops - growing or harvested. Give particulars.	X			
31. Farming equipment and implements.		John Deere "B" tractor (\$1,000.00) and John Deere 620 tractor (\$2,500.00); owned jointly with spouse; secures loan to First National Bank of Hawley, MN; no equity, net of encumbrance	J	3,500.00
		New Holland tractor owned jointly with spouse; secures loans of New Holland Credit and First International Bank of Fargo; no equity, net of encumbrances	J	20,000.00
32. Farm supplies, chemicals, and feed..	X			
33. Other personal property of any kind not already listed. Itemize.		35 mm camera (\$20.00); owned jointly with spouse; market value is Debtor's one-half interest	J	10.00
<div style="display: flex; justify-content: space-between;"> <u>2</u> continuation sheets attached Total </div>				\$ 65,095.24

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

UNITED STATES BANKRUPTCY COURT

District of Minnesota

In re: **Sharon Haberman Johansen**
503-96-0638

Case No. _____

Chapter **7**

STATEMENT OF FINANCIAL AFFAIRS

1. Income from employment or operation of business

None ☐ State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	FISCAL YEAR PERIOD
19,568.00	Elk Farm	2002
50,200.00	Wages	2002
4,346.34	Wages	2003

2. Income other than from employment or operation of business

None ☐ State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	FISCAL YEAR PERIOD
10,000.00	401k Distribution	2002
1,305.00	Taxable refunds	2002
57.00	Taxable interest	2002

3. Payments to creditors

None ☒

a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within **90 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
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b. List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒

NAME AND ADDRESS OF CREDITOR
AND RELATIONSHIP TO DEBTOR

DATES OF
PAYMENTS

AMOUNT PAID

AMOUNT
STILL OWING

4. Suits and administrative proceedings, executions, garnishments and attachments

None



a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT
AND CASE NUMBER

NATURE OF PROCEEDING

COURT OR AGENCY
AND LOCATION

STATUS OR
DISPOSITION

**First International Bank vs.
Advanced Orthotics &
Prosthetics, Inc., Lisa McCleary
and Sharon Haberman**

**Foreclosure on business
assets and collection on
personal guarantees;
judgment for \$275,205.19**

**Cass County, North Dakota
District Court**

Judgment

**CitiBank (South Dakota), N.A.
vs. Sharon R. Haberman**

**Collection; judgment for
\$13,157.01**

**Clay County, Minnesota
District Court**

Judgment

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None



NAME AND ADDRESS
OF PERSON FOR WHOSE
BENEFIT PROPERTY WAS SEIZED

DATE OF
SEIZURE

DESCRIPTION
AND VALUE OF
PROPERTY

5. Repossessions, foreclosures and returns

None



List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS
OF CREDITOR OR SELLER

DATE OF REPOSSESSION,
FORECLOSURE SALE
TRANSFER OR RETURN

DESCRIPTION
AND VALUE OF
PROPERTY

Bremer Bank and GMAC

Summer of 2003

**Vehicles leased or financed by
Advanced Orthotics and Prosthetics (I
may have personally guaranteed)**

6. Assignments and receiverships

None



a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS
OF ASSIGNEE

DATE OF
ASSIGNMENT

TERMS OF
ASSIGNMENT
OR SETTLEMENT

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None
☒

NAME AND ADDRESS OF CUSTODIAN	NAME AND ADDRESS OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
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7. Gifts

None
☒

List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
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8. Losses

None
☒

List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
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9. Payments related to debt counseling or bankruptcy

None
☐

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
McNair, Larson & Carlson, Ltd. 51 Broadway, Suite 600 P. O. Box 2189 Fargo, ND 58108	June 11, 2003	\$1,000.00 retainer and \$200.00 filing fee

10. Other transfers

None
☐

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
Personal and business expenses		2/6/03; 03/18/03; and 6/11/03 Withdrawals from certificate of deposit No. 92501 in the amounts of \$10,000, \$3,100.87, and \$725.00 respectively

11. Closed financial accounts

None ☐ List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION	TYPE AND NUMBER OF ACCOUNT AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
First National Bank Hawley, MN	Checking and two savings accounts	\$50.81, \$431.00 and \$420.00

12. Safe deposit boxes

None ☐ List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
First National Bank Hawley, MN	Myself and spouse, Robert Johansen	None at this time	

13. Setoffs

None ☒ List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
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14. Property held for another person

None ☒

List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS
OF OWNER

DESCRIPTION AND VALUE
OF PROPERTY

LOCATION OF PROPERTY

15. Prior address of debtor

None



If the debtor has moved within the **two years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS

NAME USED

DATES OF OCCUPANCY

16. Spouses and Former Spouses

None



If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the **six-year period** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.

None



SITE NAME AND
ADDRESS

NAME AND ADDRESS
OF GOVERNMENTAL UNIT

DATE OF
NOTICE

ENVIRONMENTAL
LAW

b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

None



SITE NAME AND
ADDRESS

NAME AND ADDRESS
OF GOVERNMENTAL UNIT

DATE OF
NOTICE

ENVIRONMENTAL
LAW

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

None

NAME AND ADDRESS
OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR
DISPOSITION**18. Nature, location and name of business**

None



a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the business, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the business, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

NAME	TAXPAYER I.D. NUMBER	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
Advanced O & P, Inc.	46-0445549	3224 20th Street South Fargo, ND 58104	Sales - medical supplies	1996 Summer of 2003

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

None



NAME

ADDRESS

19. Books, records and financial statements

None



a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS

DATES SERVICES RENDERED

Tom Elliott, CPA
623 Main Avenue East
West Fargo, ND 58078

Periodic

b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

None



NAME AND ADDRESS

DATES SERVICES RENDERED

c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

None



NAME

ADDRESS

Ken Heide

P. O. Box 81
Lake Park, MN 56564

NAME

ADDRESS

Regional Artificial Limb & Brace Co

1700 32nd Avenue South
Fargo, ND 58103

d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the **two years** immediately preceding the commencement of this case by the debtor.

None



NAME AND ADDRESS

DATE ISSUED

20. Inventories

None



a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY
(Specify cost, market or other basis)

b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

None



DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN
OF INVENTORY RECORDS**21. Current Partners, Officers, Directors and Shareholders**

None



a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS

NATURE OF INTEREST

PERCENTAGE OF INTEREST

b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting securities of the corporation.

None



NAME AND ADDRESS

TITLE

NATURE AND PERCENTAGE
OF STOCK OWNERSHIP**22. Former partners, officers, directors and shareholders**

None



a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME

ADDRESS

DATE OF WITHDRAWAL

b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

None



NAME AND ADDRESS

TITLE

DATE OF TERMINATION

23. Withdrawals from a partnership or distributions by a corporation

None



If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS

OF RECIPIENT,

RELATIONSHIP TO DEBTOR

DATE AND PURPOSE

OF WITHDRAWAL

AMOUNT OF MONEY

OR DESCRIPTION

AND VALUE OF PROPERTY

24. Tax Consolidation Group.

None



If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within the **six -year period** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER

25. Pension Funds.

None



If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within the **six-year period** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER

* * * * *

[if completed by an individual or individual and spouse]

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date 10/1/2003

Signature
of Debtor

s/ Sharon Haberman Johansen
Sharon Haberman Johansen



FIRST
INTERNATIONAL
BANK & TRUST

Personal Financial Statement

CONTACT YOUR BANK REPRESENTATIVE
IF YOU HAVE ANY QUESTIONS REGARDING THE
COMPLETION OF THIS FORM

YOU MAY APPLY FOR A CREDIT EXTENSION OR FINANCIAL ACCOMMODATION INDIVIDUALLY OR JOINTLY WITH A CO-APPLICANT. THIS STATEMENT AND ANY APPLICABLE SUPPORTING SCHEDULES MAY BE COMPLETED JOINTLY BY BOTH MARRIED AND UNMARRIED CO-APPLICANTS IF THEIR ASSETS AND LIABILITIES ARE SUFFICIENTLY JOINED SO THAT THE STATEMENT CAN BE MEANINGFULLY AND FAIRLY PRESENTED ON A COMBINED BASIS; OTHERWISE SEPARATE STATEMENTS AND SCHEDULES ARE REQUIRED.

APPLICANT

NAME Sharon Haberman - Johansen SOC. SEC. # 503-96-0638
 ADDRESS 20965 28th Ave N. Hawley, MN - 56549
 TELEPHONE NUMBER 218-483-3034 DATE OF BIRTH 10-13-64
 PRESENT EMPLOYER Advanced O & P POSITION part-owner
 ADDRESS 3224 20th St S. Fargo, ND 58104

CO-APPLICANT

NAME _____ SOC. SEC. # _____
 ADDRESS _____
 TELEPHONE NUMBER _____ DATE OF BIRTH _____
 PRESENT EMPLOYER _____ POSITION _____
 ADDRESS _____

DATE OF VALUATION _____

• Round all amounts to the nearest \$100

• Attach separate sheet if you need more space to complete detail schedule

ASSETS		AMOUNT	LIABILITIES		AMOUNT
Cash in this Bank			Notes Payable Banks (Schedule 7)		8 100.00
Cash in Other Banks (Detail)		250	Notes Payable Others (Schedule 7)		
			Installment Contracts Payable (Schedule 7)		
			Due Dept. Stores, Credit Cards & Others		25 100.00
Due from Friends, Relatives & Others (Sched. 1)			Income Taxes Payable		0
Mortgage & Contracts for Deed Owned (Sched. 2)			Other Taxes Payable		0
Securities Owned (Schedule 3)		21 000.00			
Cash Surrender Value of Life Insur. (Sched. 4)		25 000.00	Loans on Life Insurance (Schedule 4)		0
Homestead (Schedule 5)		169 500.00			
Other Real Estate Owned (Schedule 5)			Mortgage on Homestead (Schedule 6)		86 000.00
Automobiles	Pickup	35 000.00	Mortgage or Liens on Other Real Estate		0
	Station	34 000.00	Owned (Schedule 6)		
	Sub	5 000.00			
Personal Property		80 000.00	Other Liabilities (Detail)		
11 head Etk.		20 000.00			
Other Assets (Detail)	Gun funds				
	Card collection	50 000.00			
TOTAL			TOTAL LIABILITIES		
			Net Worth (Total Assets Less Total Liabilities)		
			TOTAL		

ANNUAL INCOME	APPLICANT	CO-APPLICANT	CONTINGENT LIABILITIES	
Salary	65 000.00		As Endorser	
Commissions			As Guarantor	
Dividends			Lawsuits	
Interest	1500.00		For Taxes	
Rentals			Other (Detail)	
Alimony, child support or maintenance (you need not show this unless you wish us to consider it).				
Other				
TOTAL INCOME			TOTAL CONTINGENT LIABILITIES	

SCHEDULE 1 DUE FROM FRIENDS, RELATIVES & OTHERS

NAME OF DEBTOR	OWED TO	COLLATERAL	HOW PAYABLE	MATURITY DATE	UNPAID BALANCE
			\$ per		
			\$ per		
			\$ per		
TOTAL					

SCHEDULE 2 MORTGAGE AND CONTRACTS FOR DEED OWNED

NAME OF DEBTOR	TYPE OF PROPERTY	1ST OR 2ND LIEN	OWED TO	HOW PAYABLE	UNPAID BALANCE
				\$ per	
				\$ per	
				\$ per	
				\$ per	
TOTAL					

[illegible]

INSURED	INSURANCE COMPANY	BENEFICIARY	FACE VALUE OF POLICY	CASH VALUE	LOANS
Peter Stolone	Fidelity	Shera	750,000.00	10,000.00	
			TOTAL		

SCHEDULE 5 REAL ESTATE

[illegible]

MORTGAGES OR LIENS ON REAL ESTATE				
TO WHOM PAYABLE	HOW PAYABLE	INTEREST RATE	MATURITY DATE	UNPAID BALANCE
Homestead	\$	per		
2045-28th Ave N	\$	per		
It's all mine	\$	per		
56549	\$	per		
	\$ 980	per	6.5	26 years
				\$60000

[illegible]

APPLICANT

CO-APPLICANT

Have you ever gone through bankruptcy or had a judgement against you?

☐ Yes ☒ No

☐ Yes ☐ No

Are any assets pledged or debts secured except as shown?

☐ Yes ☒ No

☐ Yes ☐ No

Have you made a will?

☐ Yes ☒ No

☐ Yes ☐ No

Number of Dependents
(If "None" check None)

☐ ☒ None

☐ None

Marital Status (answer only if this financial statement is provided in connection with a request for secured credit or applicant is seeking a joint account with spouse.)

☒ Married

☐ Married

☐ Separated

☐ Separated

☐ Unmarried

☐ Unmarried

(Unmarried includes single, divorced, widowed)

The foregoing statement, submitted for the purpose of obtaining credit, is true and correct in every detail and fairly shows my/our financial condition at the time indicated. I/we will give you prompt written notice of any subsequent substantial change in such financial condition occurring before discharge of my/our obligations to you. I/we understand that you will retain this personal financial statement whether or not you approve the credit in connection with which it is submitted. You are authorized to check my/our credit and employment history or any other information contained herein.

THE UNDERSIGNED CERTIFY THAT THE INFORMATION CONTAINED ON THIS FORM HAS BEEN CAREFULLY REVIEWED AND THAT IT IS TRUE AND CORRECT IN ALL RESPECTS.

Date

3/4/03

Your Signature

Paul H. Haiman - Cohen

Date

Co-Applicant Signature

(If you are requesting the financial accommodation jointly)

State of South Dakota



OFFICE OF THE SECRETARY OF STATE

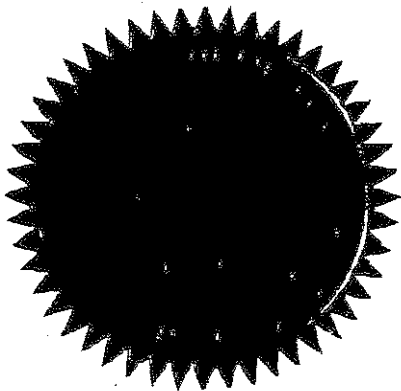
Certificate of Organization Limited Liability Company

ORGANIZATIONAL ID #: DL006365

I, Chris Nelson, Secretary of State of the State of South Dakota, hereby certify that the Articles of Organization of **ORTHOTIC & PROSTHETIC HEALTH SERVICES, L.L.C.** duly signed and verified, pursuant to the provisions of the South Dakota Limited Liability Company Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I hereby issue this Certificate of Organization and attach hereto a duplicate of the Articles of Organization.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of South Dakota, at Pierre, the Capital, this October 8, 2003.



Chris Nelson

Chris Nelson
Secretary of State

8th
Oct 2003

OCT 5 03

RECEIVED

ARTICLES OF ORGANIZATION OF
ORTHOTIC & PROSTHETIC HEALTH SERVICES, L.L.C.

SDCL 47-34A-203

1. The name of the company: Orthotic & Prosthetic Health Services, L.L.C.
2. The address of the initial designated office: 810 S Maple, Watertown, SD 57201
3. The name and street address of the initial agent for process: John P. Abbott, 1401 E Rushmore, PO Box 650, Brandon, South Dakota 57005.
4. The address of each organizer:

Robert (BJ) Johansen
20965 28th Avenue N
Hawley, MN 56549

Sharon R. Haberman-Johansen
20965 28th Avenue N
Hawley, MN 56549

Lisa McCleary
13343 130th Street S
Barnesville, MN 56514
5. The duration of the company is perpetual.
6. The company is not to be manager managed, rather it shall be managed by its members.
7. Members of the company are not to be liable for its debts and obligations under SDCL 47-34A-303(c).

DL6365

Dated this 6th day of October, 2003.

Robert B. Johansen
Robert (BJ) Johansen, Member

Sharon R. Haberman-Johansen
Sharon R. Haberman-Johansen, Member

Lisa McCleary
Lisa McCleary, Member

STATE OF SOUTH DAKOTA)
COUNTY OF MINNEHAHA) SS

I, John P. Abbott, a notary public, do hereby certify that on this 6th day of October, 2003, personally appeared Robert (BJ) Johansen, Sharon R. Haberman-Johansen and Lisa McCleary, who, being by me first duly sworn, declared that they are the members of the member-managed company, that they signed the foregoing document as members of the limited liability company and the statements therein contained are true.

(SEAL)

John P. Abbott
Notary Public - South Dakota
My Commission Expires: 3/17/2006

CONSENT OF APPOINTMENT BY THE REGISTERED AGENT

I, John P. Abbott, hereby give my consent to serve as the registered agent for Orthotic & Prosthetic Health Services, L.L.C.



John P. Abbott

EST 8 13
SUN 10/24/02

ANNUAL REPORT OF
ORTHOTIC & PROSTHETIC HEALTH SERVICES, L.L.C.

1. The name of the company and the state under whose law it is organized:

Orthotic & Prosthetic Health Services, L.L.C.
Organized under the Law of South Dakota, SDCL 47-34A.

2. The address of its registered office and the name and address of its registered agent for service of process:

John P. Abbott
1401 E Rushmore, PO Box 650
Brandon, South Dakota 57005

3. The address of its principal office:

810 S Maple
Watertown, SD 57201

4. The names and business addresses of any managers:

None

5. The Dollar amount of the total agreed contribution of the limited liability company: \$1,000.00

Dated this 6th day of October, 2003.



Robert (BJ) Johansen, Member



Sharon R. Haberman-Johansen, Member

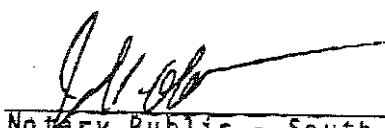


Lisa McLeary, Member

STATE OF SOUTH DAKOTA)
COUNTY OF MINNEHAHA) ; SS

I, John P. Abbott, a notary public, do hereby certify that on this 6th day of October, 2003, personally appeared Robert (BJ) Johansen, Sharon R. Haberman-Johansen and Lisa McCleary, who, being by me first duly sworn, declared that they are the members of the member-managed company, that they signed the foregoing document as members of the limited liability company and the statements therein contained are true.

(SEAL)


Notary Public - South Dakota
My Commission Expires: 3/17/2006